

4198 '99 APR -6 110:09

April 6, 1999

Dockets Management Branch (HFA-305)
Food and Drug Administration
5630 Fishers Lane
Room 1061
Rockville, Maryland 20852

**Re: Food Labeling: Use on Dietary Supplements of Health Claims Based on
Authoritative Statements [Docket No. 98-N-0826]**

The Center for Science in the Public Interest (CSPI)¹ submits this comment in response to the January 21, 1999 *Federal Register* notice.

We request that the Food and Drug Administration delay the issuance of a final rule pending reconsideration of the decision in *Pearson v. Shalala*, No. 98-5043 (D.C. Cir. Jan. 15, 1999). The *Pearson* decision has raised a number of issues regarding the regulation of health claims for dietary supplements. Such issues must be resolved before the FDA moves ahead on its rulemaking proceeding.

Respectfully submitted,



Ilene Ringel Heller
Senior Staff Attorney

98N-0826

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¹ CSPI is a nonprofit organization supported by more than 1,000,000 members that has been working to improve the public's health through better nutrition and safer food since 1971.

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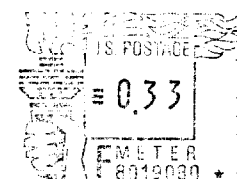
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